

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

CHAD ERIC BJORK,

Plaintiff,

vs.

TOM BOLTON (MSP TRAINING),  
SAM JOVANOVIICH (A UNIT  
MANAGER), PAUL REES, HAROLD  
STREY,

Defendants.

CV 18–107–H–DLC

ORDER

Before the Court is Defendants’ Motion to Compel and for Sanctions. (Doc. 108.) The Motion states that Defendants attempted to obtain supplemental discovery from Plaintiff Chad Eric Bjork concerning his medical treatment for his alleged injuries, but he failed to comply with their requests. (*Id.* at 2.) Defendants requested an order requiring Mr. Bjork to provide the requested discovery or, in the alternative, to prohibit Mr. Bjork from introducing evidence and testimony concerning medical and psychological treatment he received after January 12, 2021, as well as evidence concerning his claim for damages as a result of his alleged injuries. (*Id.*)

Mr. Bjork filed a response to the Motion, which states that his newly retained counsel informed Defendants’ counsel that Mr. Bjork would not

supplement his discovery responses because there was not sufficient time before the trial scheduled for November 8, 2021 to request and obtain the records Defendants requested. (Doc. 115 at 1–2.) Mr. Bjork represents that in light of the rescheduled trial, his counsel will have time to obtain the requested medical records and supplement his discovery responses. (*Id.* at 2.) Mr. Bjork asks that the Court deny Defendants’ Motion as moot to allow him time to supplement his discovery responses, after which Defendants may renew their Motion to Compel if necessary. (*Id.* at 2–3.)

The Court concludes that Defendants’ Motion is moot in light of Mr. Bjork’s representation that he will produce the requested discovery.

Accordingly, IT IS ORDERED that Defendants’ Motion to Compel and for Sanctions (Doc. 108) is DENIED as moot, without prejudice to renewal.

DATED this 28th day of October, 2021.



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Dana L. Christensen, District Judge  
United States District Court